

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
CABINET

Minutes of the Meeting held on 02 October 2024 at 10.15 am

Present:-

Cllr M Earl – Chairman

Cllr M Cox – Vice-Chairman

Present: Cllr D Brown, Cllr R Burton, Cllr A Hadley, Cllr J Hanna,
Cllr R Herrett, Cllr A Martin, Cllr S Moore and Cllr K Wilson

Also in attendance: Cllr S Aitkenhead, Cllr P Canavan, Cllr P Cooper, Cllr M Howell, Cllr J
Martin and Cllr O Walters

Also in attendance virtually: Cllr S Bartlett (Chair of the Overview and Scrutiny Board) and Cllr S
Carr-Brown (Chair of the Childrens Services Overview and Scrutiny
Committee)

50. Declarations of Interests

The Leader of the Council, Councillor Millie Earl and Councillor Andy Martin declared interests in Minute No. 57 (Town Centre Improvement Fund) and remained present for the discussion and voting thereon. Councillor Andy Hadley declared an interest in this item as a Director of the Poole BID, addressed the Cabinet and then left the room for the discussion and voting.

Councillor Kieron Wilson declared an interest in Minute No. 63 (Council Owned Companies Shareholder Governance Review) and remained present for the discussion and voting thereon.

51. Confirmation of Minutes

The Minutes of the meeting held on 4 September 2024 were confirmed and signed as a correct record.

52. Public Issues

Cabinet was advised that there had been no petitions submitted from members of the public on this occasion but that one question had been received in relation to Agenda Item 13 (Hawkwood Road Community Centre – Towns Fund Masterplan), and three statements had been received, two in relation to Agenda Item 8 (Town Centre Improvement Fund) and one in relation to Agenda Item 10 (Christchurch Bay and Harbour Flood and Coastal Erosion).

**Public Question received from Philip Stanley-Watts on Agenda Item 13
– Hawkwood Road Community Centre – Towns Fund Masterplan**

Boscombe needs a community centre

Could you tell me the towns funding

And timeline.

Described as a pocket park, how big is this and can this park be an NHS covid memorial park?

There is silver birch and other trees all around the Hawkwood Road car park can these be protected?

There should be a greening of the car park with more trees and shrubbery and protected habitats.

It was regretful that top retailer WHSmith was lost to the High Street in Boscombe and that another top retailer is found for Boscombe.

Response by the Portfolio Holder for Housing and Regulatory Services, Councillor Kieron Wilson

Query - Boscombe needs a community centre

Response - Thank you, we are glad that the proposal to build a new community centre is welcomed.

Query - Could you tell me the towns funding

Response - The Towns fund is allocated grant funding awarded by Ministry of Housing, Communities and Local Government (MHCLG) for levelling up areas in and around Boscombe. Further information is available at [What is the Towns Fund? | BCP \(bcpcouncil.gov.uk\)](https://www.bcp.gov.uk/what-is-the-towns-fund)

Query - And timeline.

Response - Demolition of the WH Smith building is forecast for early 2025 which will enable the building of the Community Centre to commence soon afterwards. This will take approximately 18 months to build, subject to contract. The Programme for the project is shown at Appendix 7.

Query - Described as a pocket park, how big is this and can this park be an NHS covid memorial park ?

Response - The park is 41m long x 35m wide (as resolution to grant planning approved at committee). We can explore the request for a memorial park with our parks team.

Query - There is silver birch and other trees all around the Hawkwood road car park can these be protected?

Response - There are no trees expected to be removed for the Community Centre development which this decision covers. All trees are independently assessed to identify which can be retained and which need to be removed. Seven trees are expected to be removed as part of the residential/park development on Hawkwood Road to allow for new entrances, which will be replaced by new and better trees as part of the scheme landscaping.

Query - There should be a greening of the car park with more trees and shrubbery and protected habitats.

Response - The site will be substantially greener than the original carpark. Please see the Proposed Site Plan in Appendix 5. The overall site will be

subject to the planning conditions which include tree protection measures, tree planting and the requirement of a landscape management plan.

Public Statement received from Ian Redman on Agenda Item 8 - Town Centre Improvement Fund

BCP Council has a history of failed projects and squandering taxpayers money. The Eco-Hub, Toft Steps portacabins, Bayside Restaurant, Holdenhurst Rd re-development and the list goes on.

The projects described in the Town Centre Improvement Fund for Bournemouth look like another waste of money.

Has any visitor survey said Bournemouth needs “selfie and photo opportunities, ‘story blocks”, “graphics to dress the streets” or a mural on a wall next to an under-used cycle path

These projects look like you are putting icing on a mouldy cake.

Within the papers, there is no evidence these proposals will deliver long term benefits for the town.

It looks like you have scraped together some random projects to give the Economic Development Team an £8K management fee.

Public Statement received from Philip Stanley Watts on Agenda Item 10 – Christchurch Bay and Harbour Flood and Coastal Erosion Risk Management (FCERM) Strategy

In the Christchurch Bay Flood Management Plan costings should be met and in partnership with agencies and other LA s there should be the development in partnership with others of a natural flood defence strategy which includes narrow ditches and beaver dams in the light of the climate crisis.

Public Statement received from Susan Stockwell on Agenda Item 8 – Town Centre Improvement Fund

Investment in Bournemouth Town Centre is no more than whitewashing over a serious damp problem, as long as BCP's councillors continue to license seven floors of sexual entertainment. Please put aside party allegiances and stop ignoring the harassment of women. We don't want to be rescued by expensive police and council resources paid for by our taxes, we want the licensing stopped.

53. Recommendations from the Overview and Scrutiny Committees

The Chair of the Children's Services Overview and Scrutiny Committee addressed the Cabinet advising that the following recommendations had been agreed unanimously by the Committee at their recent meeting for submission to Cabinet for consideration: -

Children's Services Overview and Scrutiny Agenda Item 10 - Child Exploitation Working Group Findings Report

[Child Exploitation Working Group Findings Report.pdf \(bpcouncil.gov.uk\)](https://www.bpcouncil.gov.uk/Child-Exploitation-Working-Group-Findings-Report.pdf)

The Children's Services Overview and Scrutiny Committee recommend to Cabinet that:

- 1) recommendation (c) that partnership working be promoted to ensure increased communication around the issues highlighted with parents, schools, children and youth services.
- 2) recommendation (d) that earlier age-appropriate education be implemented within schools across BCP regarding the risks associated with exploitation, drugs and the dangers of carrying weapons.

The Portfolio Holder for Children, Young People, Education and Skills spoke in support of the recommendations whilst highlighting with regards to recommendation 2 as set out above that BCP couldn't dictate the curriculum but can certainly look at ways to support it.

The Leader advised that the Cabinet would take the matter away and go back to the Chair of the Children's Services Overview and Scrutiny Committee.

The Leader advised that in the interests of officers present Agenda Item 16 (Pan Dorset Safeguarding Children Partnership Annual Report 2023/2024) would be brought forward and dealt with as the first item.

54. Pan Dorset Safeguarding Children Partnership Annual Report 2023/2024

The Portfolio Holder for Children, Young People, Education and Skills presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Cabinet was advised that Statutory guidance Working Together (2023) requires safeguarding partners to jointly report on partnership safeguarding activity they have undertaken in a 12-month period, and that the report should focus on multi-agency priorities, learning, impact, evidence and improvement and must be published by the end of September of each year.

Cabinet was informed that the Pan Dorset Safeguarding Children Partnership (PDSCP) is responsible for delivering the Lead Safeguarding Partners multi-agency safeguarding arrangements for children and young people, and that Lead Safeguarding Partners must ensure there are arrangements for effective independent scrutiny in place for their local area.

In relation to this Cabinet was advised that the PDSCP's quality assurance and scrutiny framework include presentation of its annual report to the BCP/Dorset scrutiny committees and cabinets as part of its independent scrutiny arrangement.

RESOLVED that BCP Cabinet scrutinised and commented on the report.

Voting: Unanimous

Portfolio Holder: Children, Young People, Education and Skills

Reason

The PDSCP Annual Report 2023/2024 has been approved by the PDSCP and three Delegated Safeguarding Partners on behalf of the three Lead Safeguarding Partners for:

BCP Council

Dorset Police

Integrated Care Board (ICB), NHS Dorset

55. Medium Term Financial Plan (MTFP) Update

The Portfolio Holder for Finance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Cabinet was advised that the report aimed to ensure the Council continues to maintain a balanced 2025/26 budget forecast by considering the impact that changes to the previous assumptions will have on the underlying approved position and taking mitigating action where necessary.

In relation to this Cabinet was presented with an update on the 22 May 2024 letter submitted by the Director of Finance to Department of Levelling Up Housing and Communities (DLUHC) and Department for Education (DfE) outlining concerns regarding the impact the deficit on the Dedicated Schools Grant (DSG) is having on the financial sustainability of the Council.

In addition, Cabinet was informed that the report provided details of the council's responses to the government's consultation supporting the 30 October 2024 national budget.

The Chair of the Overview and Scrutiny Board addressed the Cabinet advising that the Board had discussed the report in detail at the meeting the previous evening, and thanked Officers for the thorough paper. In addition the Chair expressed disappointment that one MP hadn't signed the letter to government regarding SEND and urged the MP to sign it.

RESOLVED that Cabinet: -

- (a) Acknowledges the ongoing progress being made to maintain a balanced budget position for 2025/26 and MTFP.**
- (b) Endorses the latest position regarding the developing 2025/26 Budget and MTFP position.**
- (c) Approve the implementation of a targeted voluntary redundancy process to enable the delivery of 2025/26 savings with delegation to the Chief Executive, in consultation with the Leader of the Council, to develop an appropriate policy.**
- (d) Notes the update on the conversation with government around the impact that the DSG deficit is having on the financial sustainability of the council.**
- (e) With local MP support, continue to express concern to government at the existential challenge to the Councils ability to set a legally balanced budget for 2025/26 posed by having**

the lack of cash to fund the special educational needs and disability service (SEND).

Voting: Unanimous

Portfolio Holder: Finance

Reasons

To comply with accounting codes of practice and best practice which requires councils to have a rolling multi-year medium term financial plan.

To provide Cabinet with the latest high-level overview of the development of the 2025/26 Budget and 3-year medium-term financial plan.

To provide an update on the 22 May 2024 letter submitted to DLUHC and CIPFA regarding the difficulties presented by the accumulating DSG deficit.

56. Poole Civic Centre

The Portfolio Holder for Finance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Cabinet was advised that the report presented a proposal to dispose of Poole Civic Centre.

Cabinet was informed that local taxpayers had covered over £2.5m in operating costs for this asset since April 2019, a value which was increasing by circa £19,000 per month.

In relation to this Cabinet was advised that if sold the expectation is that the private sector would bring forward a housing and hotel development proposal in line with the BCP Local Plan categorisation for the site, and that the Grade II listing of the main building and the local listing of the annexe building would protect characteristics of the buildings.

Further to this Cabinet was informed that the proposal to dispose of Poole Civic Centre was considered by the cross-party strategic asset disposal working group on the 20 September 2024, and that the draft minutes of this meeting were presented as a confidential appendix to this report (Appendix C).

In relation to this Cabinet was advised that the approved recommendation of the working group was as follows.

- a) *If Cabinet is so minded to dispose of the site, that it does so by way of an open process, marketing the site on the open market for a 2-3 month period of time.*
- b) *Cabinet is provided with a detailed report of bids received to support them in their decision making which includes social, environmental and financial benefits.”*

A number of members addressed the Cabinet raising the following: -

- The potential of the Town Council if formed in the future to utilise the building

- Expressing concern that the decision hasn't properly considered all the principles for asset disposal.
- The heritage of the building should be considered
- Previous agreement to dispose of the building was prior to the possibility of there being a town council.
- Lack of consultation with ward members and local people.
- Part of the building should be used for community use.
- Importance of the vertical slice.
- Request for Cabinet to defer the decision and consult with residents.

Cabinet members spoke on the item with the majority of members speaking in support of the recommendations.

The following areas were raised by members of the Cabinet: -

- Vertical slice could provide the opportunity to have a community facility.
- Usage needs to be financially viable.
- Grade 2 listing will protect the listed part of the building through the planning process.
- Maintaining the building at £19k a month is unsustainable.

Following the debate the Portfolio Holder proposed an amendment to the recommendations to delete recommendation (b) as set out and replace it with: -

- (b) Approve the open market disposal of the former civic centre in Poole on such terms to be approved by Cabinet based on a detailed report of bids received to support them in their decision making which includes social, environmental and financial benefits.*

This was seconded by Councillor David Brown and supported as the substantive motion being put to Cabinet.

Cabinet members spoke in support of the amendment welcoming the opportunity to be able to make the decision as to who the site is sold to in the future.

In summing up the Portfolio Holder stressed the importance of the disposal of the site and highlighted that this had been consulted on as part of the Local Plan.

RECOMMENDED that Council: -

- (a) note the confidential draft minutes and the recommendations of the Cross-Party Asset Disposal Working Group meeting held on the 20 September 2024; and**
- (b) approve the open market disposal of the former civic centre in Poole on such terms to be approved by Cabinet based on a detailed report of bids received to support them in their decision making which includes social, environmental and financial benefits.**

Voting: Nem. Con. (1 abstention)

Portfolio Holder: Finance

Reason

To obtain approval for the disposal of the former civic centre in Poole.

57. Town Centre Improvement Fund

The Portfolio Holder for Destination, Leisure and Commercial Operations presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Cabinet was advised that in February 2024, the Council had approved the one-off in year funding allocation of £358,000, the Town Centre Improvement Fund, to improve Bournemouth, Christchurch and Poole town centres.

In relation to this Cabinet was informed that the funds had been divided among the three town centres as defined in the current Local Plans based on the population of their respective towns, and that the aim of the fund was to generate proposals that will deliver long term benefits rather than a one-off boost to the local economy, and/or to seed fund new ideas that empower partners to unlock new opportunities.

Cabinet was advised that the report informed Cabinet about the application and scoring process, provided summaries of the proposals and recommends approval for those projects that were successful.

Members addressed the Cabinet expressing concern that ward members had not been properly engaged in the process and urged the cabinet to defer until the relevant consultation has taken place.

Cabinet members spoke in support of the recommendations but echoed the comments around meaningful consultation. In relation to this it was proposed that recommendation '*(a) endorses the application and scoring process*' be removed from the recommendations as Cabinet members felt they couldn't support the application and scoring process in light of the comments from members and concerns raised with regards to consultation. This amendment to the recommendation was supported by the proposer and seconder and agreed as the substantive motion.

RESOLVED that Cabinet approves the projects selected following the application process and: -

- (a) Notes the benefits the projects will bring to town centres.**
- (b) Authorises transfer of the funds to the applicants, enabling delivery of the projects, in accordance with the Scheme Document.**
- (c) Ringfences the remaining funds for Coastal BID to submit an appropriate future project bid within a reasonable timescale.**
- (d) Delegates authority to the Chief Operations Officer in consultation with the Portfolio Holder for Destination, Leisure and Commercial to review and determine future applications and monitor delivery.**

Voting: Nem. Con. (1 abstention)

Portfolio Holder: Destination, Leisure and Commercial Operations

Reason

This one-off in year funding enables our partners to create and deliver these inspiring projects, adding to the ongoing positive work to revitalise Bournemouth, Christchurch and Poole town centres.

Councillors Millie Earl and Andy Martin declared interests in this item and remained present for the discussion and voting thereon.

Councillor Andy Hadley declared an interest in this item as a Director of the Poole BID, addressed the Cabinet and then left the meeting for the discussion and voting thereon.

The meeting adjourned at 12.18 pm

The meeting reconvened at 12.33 pm

The Leader advised that in order to accommodate Portfolio Holders with other commitments the running order would be amended to deal with Agenda Items 10, 13 and then 14 before returning to Agenda Item 9 and taking the rest of the items in order.

58. Christchurch Bay and Harbour Flood and Coastal Erosion Risk Management (FCERM) Strategy

The Portfolio Holder for Climate Response, Environment and Energy presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Cabinet was advised that the Strategy has been developed in collaboration with New Forest District Council and the Environment Agency, and involved extensive engagement and consultation with communities, key stakeholders, and officers and members of both councils, including four rounds of engagement to shape development of the strategy and a 3-month public consultation between June-August 2023.

Cabinet was informed that the strategy recommends where and when potential defence schemes can be implemented to mitigate the coastal flood and erosion risks to over 3,800 properties over the next 100 years.

In relation to this however, Cabinet was informed that the strategy identifies a significant funding challenge to deliver these future defences as only a proportion of the total costs are eligible to access national FCERM Grant in Aid funding, and that whilst adopting the strategy does not bind BCP Council to any additional financial commitments at this time, it does require BCP Council to develop a funding strategy, and when any schemes to implement the strategy are developed in future years, any request for financial contribution from BCP Council will be brought to cabinet as required.

Cabinet was advised that if required funding contributions are not achieved, then the strategy will be to provide a minimum amount of intervention by maintaining existing defences using Council revenue budgets (as occurs

currently) for a period of time, but that maintenance will eventually cease, and that this will mean development and regeneration in at risk areas around Christchurch will not be able to occur due to the increased level of flood and/or coastal change risk this will present.

RESOLVED that: -

- (a) Cabinet approve and adopt the Christchurch Bay & Harbour Flood & Coastal Erosion Risk Management (FCERM) Strategy for the BCP Council area.**
- (b) In approving and adopting the strategy, that BCP Council commits to developing a funding strategy.**
- (c) Cabinet notes that there is no statutory duty upon BCP Council as the Coast Protection Authority to undertake coast protection works, nor does the adoption of the strategy bind BCP Council to commit to the provision of any funding for the delivery of the identified options.**

Voting: Unanimous

Portfolio Holder: Climate Response, Environment and Energy

Reason

Approval and adoption of this FCERM strategy by BCP Council, New Forest District Council and the Environment Agency, ensures that technically feasible, environmentally acceptable and economically viable options are developed to reduce the risks from coastal flooding and erosion to people, their properties and the environment over the next 100 years for the coastline from Hengistbury Head to Hurst Spit.

Without such an approach, it is likely that current management approaches would continue in the short term and future coastal defence works would be managed on an ad-hoc or reactive basis which would lead to poor cost efficiency and a general increase in the coastal flood and erosion risk over time.

This contributes to the following BCP Council corporate ambition:

- Climate change is tackled through sustainable policies and practice.

59. Hawkwood Road Community Centre – Towns Fund Masterplan

The Portfolio Holder for Housing and Regulatory Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Cabinet was advised that on April 18, 2024, a resolution to grant full planning permission (subject to the s106/Unilateral undertaking being issued in October) was made for the development of 68 residential flats, a GP surgery and pocket park, and a new pedestrian boulevard activated by 4 retail kiosks and a community Centre, the entirety of which, is called Hawkwood Road and will be delivered in two stages.

In relation to this Cabinet was informed that the new pedestrian boulevard,

four kiosks and Community Centre forming part of the site, were the focus of the report.

Cabinet was advised that the report is to approve the expenditure of funding for the full build and fit out of the Community Centre, and that this forms a significant part of the Boscombe Towns Fund masterplan which seeks to regenerate this area of Bournemouth with all projects associated with the area to be delivered by March 2026.

Cabinet was informed that whilst amendments to the masterplan are currently being considered, the Community Centre remains as outlined in the granted planning approval, and that the creation of the pedestrian boulevard between Christchurch Road and Hawkwood Road will accommodate the four retail kiosks and associated seating which is made possible by the demolition of the former W H Smith building which was purchased on 24 June 2024.

Further to this Cabinet was advised that this part of the project is being fully funded by the Boscombe Towns fund Grant.

RECOMMENDED that Council: -

- 1. approves the demolition of the former W H Smith building (625 Christchurch Road), the creation of the new pedestrian boulevard and the construction of the new Community Centre and associated hard and soft landscaping for a total scheme cost of £4.1m;**
- 2. approves the financial strategy for the scheme as set out in paragraphs 11-22 with specific approval for the use of £4.1m of Towns Fund grant funding to pay for the delivery of the Community Centre;**
- 3. approves entering into a Service Level Agreement with the council's Construction Works Team (CWT), for the building of the Community Centre and pedestrian boulevard between Hawkwood Road and Christchurch Road; and**
- 4. approve the delegation to the Chief Operations Officer, in conjunction with the Director of Finance and the Director of Law & Governance authority, to enter into a contract for the building works, providing all key parameters (including delivery within approved capital budget) are met.**

Voting: Unanimous

Portfolio Holder: Housing and Regulatory Services

Reason

To enable the proposed project to progress with the agreed funding arrangements through to construction and subsequent completion to deliver the wide range of benefits to the council and local communities.

60. Constitution Hill Road, Poole, Dorset, BH14 0QA

The Portfolio Holder for Housing and Regulatory Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Cabinet was advised that the Constitution Hill Housing project is proposing to deliver c98 new residential homes to the Poole area, and that the project is currently proposed as, c98 homes made up of 76 Social Rent, 10 Temporary Accommodation and 12 Specialist Accommodation.

Cabinet was informed that due to the increased build costs impacting the construction sector, the Council had revised its funding strategy required to support the increased budget, and that the revised funding strategy detail was included within paragraphs 12 to 18 (and appendix 1) of the report.

Cabinet was advised that previous approvals were to the value of £430k (Officer Decision Record) and this report requests a further £995k to secure planning approval and demolition of the seven existing buildings (a total spend of £1.425m, requiring Council approval).

In relation to this Cabinet was informed that the full business case for the new build budget will be presented to Council at later date.

RECOMMENDED that Council: -

1. **Approve a further £995k for design, planning and demolition of existing buildings.**
2. **Approve the delegation to the Chief Operations Officer in conjunction with the Director of Finance and the Director of Law & Governance authority to enter a contract for demolition providing all key parameters (including delivery within approved capital budget) are met.**
3. **Appropriate the site for housing purposes under section 19 of the Housing Act 1985.**
4. **Transfer the site to the Housing Revenue Account (HRA) from the General fund at an appropriate certified value of the land.**

RESOLVED that Cabinet: -

5. **Approve the delegation to the Service Director to vary site security measures.**

Voting: Unanimous

Portfolio Holder: Housing and Regulatory Services

Reason

To enable the proposed affordable housing scheme to progress through to demolition and planning application stage, enabling us to progress the project.

61. Bournemouth Air Festival

The Portfolio Holder for Destination, Leisure and Commercial Operations presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

Cabinet was advised that the report provided an update on the work carried out to invite proposals from external organisations to support and fund an Air Festival and recommends a way forward in relation to the future delivery of the Air Festival.

Members addressed the Cabinet addressing concern with regards to the length of the 10-year commitment and the ability to commercialise the beachfront.

Cabinet discussed the report highlighting the hidden costs of the event and the misinformation within the public in terms of the amount of money that the council has made from the air festival.

Cabinet spoke in support of the airshow and of events for people to enjoy and to bring trade into the town.

RESOLVED that Cabinet: -

- (a) Agrees to Option 2 to take forward further exploration work on the feasibility of providing a 10-year agreement with the potential operator for 2026 onwards.**
- (b) Agrees to taking forward Option 4 to seek to source sponsorship for the funding gap for 2026 onwards.**
- (c) Notes the financial implications detailed in the summary of financial implications.**
- (d) Notes the requirement for event team staff and other council teams for contract management and sponsorship work.**
- (e) Delegates to the Director of Commercial Operations in consultation with the Portfolio Holder for Destination, Leisure and Commercial Operations, the implementation of these decisions with a report to come back to Cabinet at an appropriate time.**

Voting: For:9 Against:1

Portfolio Holder: Destination, Leisure and Commercial Operations

Reason

To enable the ongoing delivery of a destination event to achieve the corporate strategy of supporting local areas to thrive, and creating opportunities for the local area, recognising the value of the event to the local economy whilst also acknowledging the council's current and future financial position.

Councillor Andy Hadley left the meeting at 1.30 pm at the conclusion of this item.

62. Community Governance Review of BCP Council area

The Leader of the Council presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'I' to these Minutes in the Minute Book.

Cabinet was advised that a community governance review examines the governance arrangements of unparished areas and existing parishes within the area defined for review seeking to ensure that the arrangements are reflective of the identities and interests of the community in that area, and that the report proposed that in this case the area under review should include the whole of the BCP Council area.

Cabinet was informed that in undertaking the Review, BCP Council will comply with the requirements of Part 4 of the Local Government and Public Involvement in Health Act 2007 and other relevant legislation, and have regard to Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010.

Members addressed the Cabinet highlighting the misunderstanding by some members of the public as to what a Community Governance Review is and of the importance of informing people properly when conducting the review.

RECOMMENDED that: -

- (a) a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007;**
- (b) the timetable and Terms of Reference for the Review, as set out at Appendix 1 to this report, be approved;**
- (c) the Director of Law and Governance and Head of Democratic Services be authorised to take all necessary steps in relation to the Review;**
- (d) a Working Group be appointed to consider the Review and make recommendations to the Council comprising a total of 10 councillors, with a composition as set out in paragraph 18 to this report.**

Voting: Unanimous

Portfolio Holder: Leader of the Council

Reason

To comply with the requirements of the Local Government and Public Involvement in Health Act 2007 to formally commence a community governance review.

63. Council Owned Companies Shareholder Governance Review

The Portfolio Holder for Transformation, Resources and Governance presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'J' to these Minutes in the Minute Book.

Cabinet was advised that the report set out the action taken following the reports to Audit & Governance Committee on 11 January 2024, and to Cabinet on 10 January 2024, advising on the lessons learnt from a governance perspective following the closure of the Council's Urban Regeneration Company – BCP Future Places, and that these reports recommended changes designed to provide a clearer understanding of the respective roles, decision-making arrangements and improved accountability for council owned companies.

Cabinet was informed that in response to the recommendations from both Audit & Governance Committee and Cabinet that this report now sets out the detailed governance framework proposed by BCP Council via the establishment of the Shareholder Advisory Board and the Shareholder Operations Board together with supporting Guidance for Councillors and Officers appointed to Outside Bodies.

In relation to this Cabinet was advised that a further report providing an update following a review of the existing Council owned companies on their effectiveness will be presented to a future meeting of Cabinet.

Cabinet was informed that it is also noted that in line with the governance framework initially approved by Audit & Governance Committee and Cabinet in January 2024, BCP Councillors currently appointed to council owned companies will be removed and replaced with Officer appointments, and that further details about these arrangements will be detailed in a further report to Cabinet.

Members addressed the Cabinet raising concerns with regards to the proposed changes and the removal of members on the boards of council owned companies.

RESOLVED that Cabinet: -

Notes the establishment of the Shareholder Advisory Board and the Shareholder Operations Board.

Cabinet RECOMMENDS that Council:

- (a) Approve the Shareholder Advisory Board and Shareholder Operations Board Governance Framework for inclusion in the Council's Constitution;**
- (b) Approve the Guidance to Councillors and Officers Appointed to Outside Bodies for inclusion in the Council's Constitution; and**
- (c) Delegate authority to the Monitoring Officer to take all steps necessary to ensure the Council's Constitution remains up to date in respect of these documents**

Voting: Unanimous

Portfolio Holder: Transformation, Resources and Governance

Reason

To ensure that all Council owned companies operate within effective and transparent governance.

Councillor Kieron Wilson declared an interest in this item and remained present for the discussion and voting thereon.

64. High Needs Schools Grant Expenditure Forecast

The Portfolio Holder for Children, Young People, Education and Skills presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'K' to these Minutes in the Minute Book.

Cabinet was advised that the paper responded to the agreed action in the quarter one budget monitoring report for 2024/25 for the Corporate Director for Children's Services to bring forward to October Cabinet a detailed report on the High Needs Dedicated Schools Grant (DSG) expenditure forecast and available mitigation measures, and in addition the report also sought Council approval for any additional resources over the approved budget.

Cabinet was informed that a refreshed forecast is for an overspend of £16.5m, which is £0.6m more than indicated in the quarter 1 budget monitoring report, and that this forecast also means the Council is predicting to spend £44.5m more in 2024/25 than the grant made available by the government.

In relation to this Cabinet was advised that this new forecast included the cost of all new plans agreed as at July 2024 with a revised profile of projected assessment volume based on the current rate which is driven by local education settings and parents and carers.

Cabinet was informed that the BCP Local Area SEND system has significantly changed for the better over the last academic year, which followed the creation of a new SEND Improvement Plan developed to meet the Local Authority's DfE Statutory Direction Notice to Improve.

Further to this Cabinet was advised that the improvement work which has taken place over the last 10 months has now addressed all historic backlogs and improved the servicing of new assessments and Education Care and Health Plans into the system, and that this improvement work has adversely increased the overspend within the High Needs Block budget.

In addition Cabinet was asked to note that the local authority proportion of children with EHCP is still below the national average and may therefore increase further impacting on the DSG overspend.

RECOMMENDED that Council: -

- (a) Approves a further £16.5m increase in the forecast 2024/25 expenditure on the Special Educational Needs and Disability (SEND) service. This brings the total funding forecast to £44.5m more than the grant made available by government as part of the dedicated Schools Grant.**

- (b) Request the Corporate Director of Children's service to implement the further mitigation measures outlined in this report.**

Voting: Unanimous

Portfolio Holder: Children, Young People, Education and Skills

Reason

To support the delivery of the Statutory Direction to improve SEND Services in BCP.

65. Urgent Decisions taken by the Chief Executive in accordance with the Constitution

Cabinet was advised that no urgent decisions had been taken in accordance with the Constitution since the last meeting of the Cabinet.

66. Cabinet Forward Plan

The Leader advised that the latest Cabinet Forward Plan had been published on the Council's website.

The meeting ended at 2.21 pm

CHAIRMAN